



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1  
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BOSTON, MA 02109-3912

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

March ~~27~~, 2012

Joseph Lillis, President  
JP Lillis Enterprises, Inc. (d/b/a Cape Cod Ice)  
7 Jan Sebastian Drive  
Sandwich, MA 02563

Re: Notice of Violation, Administrative Order, and  
Reporting Requirement Pursuant to the Clean Air Act

Dear Mr. Lillis:

Enclosed is a Notice of Violation, Administrative Order, and Reporting Requirement ("NOV/AO/RR") that the Environmental Protection Agency, Region 1 ("EPA") has issued to JP Lillis Enterprises, Inc. (d/b/a Cape Cod Ice) ("JP") pursuant to Section 112(r) of the Clean Air Act ("CAA" or "the Act"), 42 U.S.C. § 7412(r), for a violation of the Act's risk management planning regulations. Specifically, EPA has found that JP failed to submit a Risk Management Plan ("RMP") for its management of anhydrous ammonia, in violation of 40 C.F.R. §§ 68.10(a), 68.12(a), and 68.150.

The NOV/AO/RR notifies JP of the RMP violation, requires JP to certify compliance with the RMP regulations, and asks some follow-up questions regarding JP's compliance with the Clean Air Act. EPA's understanding is that JP is in the process of preparing a RMP for its facility located at 297 Bourne Avenue in East Providence, Rhode Island (the "Facility").

The issuance of the NOV/AO/RR does not preclude EPA from electing to pursue further enforcement pursuant to the CAA or any other federal statute that may apply. Please also be aware that it is the practice of this office to issue a press release upon the issuance of notices of violation and administrative orders.

If you have any questions about this letter or the NOV/AO/RR, please call Jim Gaffey at (617) 918-1753 or have your counsel call Laura J. Berry, Esq. at (617) 918-1148. JP may request an opportunity to confer with EPA within seven (7) days of issuance of the NOV/AO/RR by contacting Jim Gaffey or Laura J. Berry at the telephone numbers listed above.

Sincerely yours,

*Susan Studlien*

Susan Studlien, Director  
Office of Environmental Stewardship

Toll Free • 1-888-372-7341

Internet Address (URL) • <http://www.epa.gov/region1>

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Joseph Lillis, President

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Cc: James Gaffey, EPA Region 1  
Laura J. Berry, EPA Region 1  
Ted Burns, Office of Air Resources, RI-DEM  
Champ Realty, LLC (Owner of 297 Bourne Avenue facility)

Enclosures:

1. Notice of Violation, Administrative Order, and Reporting Requirement
2. Certificate of Service
3. U.S. EPA Small Business Resources Notice